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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

KRISTIE A. SCAMMELL,
Plaintiff,

v.

NEVADA RESTAURANT SERVICES,
INC. d/b/a DOTTY'S, a Nevada
corporation; ROE CORPORATIONS I
through X, inclusive; and DOES I through
X, inclusive,

17 Defendants.

Case No. 2:10-cv-01428-LRH-RJJ

**STIPULATION AND ORDER TO DISMISS
PLAINTIFF'S RETALIATION CLAIM
AND WITHDRAW DEFENDANT'S
MOTION TO DISMISS (DOCKET #9) AS
MOOT**

Defendant Nevada Restaurant Services, Inc. d/b/a Dotty's ("Defendant") and Plaintiff Kristie A. Scammell by and through their respective counsel of record hereby stipulate and agree that Plaintiff's second cause of action alleging retaliation shall be dismissed with prejudice. The parties further stipulate and agree that Defendant's Motion to Dismiss filed on January 28, 2011 should be withdrawn as moot. The parties further stipulate that each party shall bear its own

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1 attorneys fees and costs associated with Defendant's Motion to Dismiss. Finally, the parties
2 further stipulate that Defendant's answer shall be due within ten (10) days of the date this
3 stipulation is submitted.

4 Dated this 15th day of February, 2011.
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6 LAW OFFICE OF KRISTINA S. HOLMAN

JACKSON LEWIS LLP

7 /s/ Kristina S. Holman
8 Kristina S. Holman, Bar No. 3742
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9 Las Vegas, Nevada 89101

10 Attorneys for Plaintiff

/s/ Lisa A. McClane
Elayna J. Youchah, Bar # 5837
Lisa A. McClane, Bar # 10139
3960 Howard Hughes Parkway, Ste. 450
Las Vegas, Nevada 89169

Attorneys for Defendant

13 **ORDER**
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15 IT IS SO ORDERED.

16 DATED this 17th day of February, 2011.
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19 LARRY R. HICKS
20 UNITED STATES DISTRICT JUDGE
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